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January 10, 2023

By ECF

Honorable Pamela K. Chen
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

**Re: Government Employees Ins. Company, et al. v. Stybel, et al.
Case No. 1:22-cv-02834-PKC-MMH**

Dear Judge Chen:

This firm represents Plaintiffs Government Employees Insurance Company, GEICO Indemnity Company, GEICO General Insurance Company, and GEICO Casualty Company (collectively “Plaintiffs” or “GEICO”).

In accordance with Your Honor’s Individual Motion Practices and Rules, and prior to the January 13, 2023 deadline in the Scheduling Order at ECF 19-1, Plaintiffs respectfully submit this letter requesting leave to file an Amended Complaint in this matter that will name the following additional Defendants: (i) Evergreen & Remegone LLC (“Evergreen”); (ii) Yana Mironovich (“Mironovich”); (iii) New York Billing and Processing Corp. (“NY Billing”); (iv) Eric Meladze (“Meladze”); (v) Blue Tech Supplies Inc. (“Blue Tech”); and (vi) Sunstone Services Inc. (“Sunstone”).

By way of background, this case stems from a No-Fault insurance fraud scheme alleged to have been committed by Defendants Elena Borisnova Stybel, D.O. (“Stybel”) and Elena Borisovna Stybel, M.D. (A Sole Proprietorship) (“Stybel Practice”). The Amended Complaint identifies those individuals and/or entities previously identified as John Doe Defendants and describes in far greater detail than the original complaint, how Stybel, the Stybel Practice, Evergreen, Mironovich, NY Billing, Meladze, Blue Tech, and Sunstone perpetuated this scheme and used the Stybel Practice to submit more than \$2.5 million of fraudulent billing seeking reimbursement for the medically unnecessary extracorporeal shockwave therapy (“ESWT”) that Stybel purported to perform at more than 35 locations in less than three months. GEICO’s records show it was impossible for Stybel to perform the ESWT as Stybel could not have treated 660 separate patients on behalf of the Stybel Practice, including at more than 35 locations – and many times, more than ten locations in a single day – primarily located in Bronx, Queens, and Brooklyn when Stybel operated another medical practice in Suffolk County during the same time-period. See ECF 1 at ¶¶ 2, 40, 45, 67, 68.



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Along with naming additional Defendants, the Amended Complaint also includes additional allegations related to the illegal ownership and control of the Stybel Practice and how the Stybel Practice utilized independent contractors to purportedly perform the ESWT. None of the newly added Defendants are the subject of any motion to compel or other filing that is currently pending before the Court in this matter.

Plaintiffs met and conferred with counsel for Defendants, who indicated that he had no objection to the filing of the Amended Complaint. A copy of the proposed Amended Complaint accompanies this letter as Exhibit "1".

The Court's attention to this request is appreciated.

Respectfully submitted,

RIVKIN RADLER LLP

Barry J. Levy

Barry Levy

cc: All counsel (by ECF)